

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JUANA HERNANDEZ, AS ADMINISTRATRIX )  
OF THE ESTATE OF DANNY NICACIO and )  
ARMANDO MAISONET, )  
Plaintiffs )

CIVIL ACTION NO. 05-40141-FDS

v. )

SCOTTSDALE INSURANCE COMPANY, )  
UTICA MUTUAL INSURANCE CO. )  
Defendants )

**STIPULATION OF THE PARTIES EXTENDING DEADLINE FOR PLAINTIFF TO  
FILE OPPOSITION TO THE 12(B)(6) MOTION TO DISMISS BROUGHT BY  
SCOTTSDALE INSURANCE COMPANY AND UTICAL MUTUAL INSURANCE CO.**

The parties hereby stipulate to extend by thirty (30) days the deadline for plaintiff to oppose the 12(b)(6) motion brought by defendants. Thus the parties are requesting that the new deadline for said opposition be 10/20/05 instead of 9/20/05. Counsel have spoken and agreed to this schedule. The parties submit that the extended time is both reasonable and necessary and will not prejudice any party.

PLAINTIFFS' COUNSEL  
HERNANDEZ AND MAISONET

/s/ Robert H. Beadel

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UTICA MUTUAL INSURANCE COMPANY

/s/ James T. Scamby

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SCOTTSDALE INS. COMPANY

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